

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Elliot Martinez

Docket Number: 03-00609-003

PACTS Number: 36968

Name of Sentencing Judicial Officer: HONORABLE DICKINSON R. DEBEVOISE
SENIOR UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 03/22/2005

Original Offense: CONSPIRACY TO DISTRIBUTE NARCOTICS, in violation of Title 21: U.S.C. § 846

Original Sentence: 24 months imprisonment; 5 years supervised release.

Type of Supervision: supervised release

Date Supervision Commenced: 06/21/06

Assistant U.S. Attorney: Margaret Mahoney, 970 Broad Street, Room 502 Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: John Bruno, 261 Park Avenue, Rutherford, NJ 07070 (201) 460-9494

PETITIONING THE COURT

- [] To issue a warrant
[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | The offender has violated the standard supervision condition which states ‘ You shall not commit another federal, state, or local crime. ’ On August 4, 2010, the offender was arrested by the North Bergen Police Department, and charged with Receiving Stolen Property and Attempting to Elude Police. The investigation report indicates that the North Bergen Police Department were investigating a “Lo-Jack” hit on a stolen Toyota Camry in the area of 1201 14th Street. The report further indicates that the officers conducted surveillance on a garage at that location, at which time they were able to identify the defendant as renting that garage. During the course of their surveillance officers observed black, Nissan Pathfinder, NJ registration # ZGT88L, stop two car lengths in front of their position and the driver got out and opened the hood, in what the officers described as an attempt to disrupt their surveillance of 1201 14 th Street. This black, Nissan Pathfinder, is reportedly known to the officers as a vehicle operated by the defendant during prior surveillance. (Continued) |
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Simultaneously, the garage door at 1201 14th Street opened and a blue vehicle exited and fled towards Kennedy Boulevard. Other officers followed the blue Toyota Camry through Union City, New Jersey. At some point, those officers activated their emergency lights and tried to stop the blue, Camry, but the vehicle did not stop. The first group of officers maneuvered away from the black, Pathfinder and converged on the location of the second group of officers that were pursuing the blue, Camry. A suspect bailed from the blue Camry and ran on foot to the area of 8th Street and West Avenue in Union City. An officer chased the suspect on foot, who eventually ran into the garage of J.B. Auto Repair at 506 6th Street, Union City. All the pursuing officers converged on the J.B. Auto Garage and entered and the offender was identified as the suspect operating the stolen, blue, Toyota Camry, after he was found hiding in the rear of the garage. The offender was taken into custody and brought before Judge Falcone in North Bergen Municipal Court and bail was set at \$50,000 with no 10% option. The offender posted bail and was released later that day. This case is pending in Hudson County Superior Court.

2 The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of any change of residence or employment.**' The investigative report filed by the North Bergen Police in regard to their arrest of the offender on August 4, 2010, indicates that the offender was observed at a garage located at 1201 14th Street, North Bergen, New Jersey on August 4, 2010, and at least one other date in April, 2010 while conducting surveillance of that location. The investigation report also indicates the garage at 1201 14th Street is known to the police to be rented by the offender. The offender has never reported any change of address or employment to the probation office that would indicate he either resides or works at 1201 14th Street, North Bergen, New Jersey.

3 The offender has violated the standard supervision condition which states '**You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.**' The investigative report filed by the North Bergen Police in connection with their arrest of the offender on August 4, 2010, indicates that the garage known to the police to be rented by the offender is also believed to be used as a location for altering vehicle identification numbers and storage of stolen, high end, cars. The investigative report also indicates that other suspects operated a black, Nissan Pathfinder, which was known to the police as having been operated by the offender, in such a way as to block their surveillance and attempt to pursue the offender when he was observed to flee in a stolen vehicle. The other suspects were not arrested, but the black, Pathfinder was later located in the vicinity of 1201 14th street and was impounded by police.

I declare under penalty of perjury that the foregoing is true and correct.

By: Steven Alfrey

 U.S. Probation Officer

Date: 10/1/10

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: Nov. 1, 2010.
☐ No Action
☐ Other



Signature of Judicial Officer

Oct. 5, 2010
Date